App F IX 4

Previous References

1935-36 (mp)

Rel 47-35 (1-2)

File No 1187

Serial Nos 1, 2, 3, 4, 5, 6

Letter References

Rel 40 38 (6-11 & 28)

ML 138-40-102

GENERAL AND REVENUE SECRETARIAT

Serial Nos 6

Part B for April 1936

SUBJECT

Report on the representation
Charges against the V P Nadhupri
Town municipal Council

To the D C. Tumkur Dt
No L 8/60 D 25/4/36
Informs him that it is not necessary
to pursue the matter as the
V. P has tendered an apology

WLL
2/5/36

Camp D re

General and Revenue Secretariat | File No | of 1935-36 [App F III—2

Serial No

From

The Deputy Comr, Kolaba

No A-6 9528/34 dated 5/X/

submits a report on the representation made by the vice President and some members of the Madhavpur Municipality against the Executive President Mr H Mavjani and his

orders of the Development Secy

2 Sig 70 be worked up

at once and

× × × 6 to 35

and A.D.C. 8/10

The D C has submitted an exhaustive report on the allegations made in the petition by the ex-municipal Councillors of the Madhavpur Municipality. His is based not only on the examination of the petitioners (except one who was absent from station) and the documents bearing on the several cases referred to in

NOTE—Contn Sheet

WD 03594—GPB—30 000—18 7 35

petition but also on a personal inspection of the localities mentioned therein. The D.C also states that he has obtained the explanation of the President on the charges levelled against him.

3 The report of the D.C is not only conclusive on several particulars but begins definite decisions in respect of each point referred to in the petition. The gist of the report is that at every step, the elected vice-President Mr Ramjee Seth - who is an influential moneylender - has been trying to non cooperate with the President in matters pertaining to municipal administration and is also adopting obstructionist tactics, along with his partisan Councillors. He is stated to have used his position not for the best interests of the town but definitely to further his ends.

4 The D.C states that arising from the several points adverted to in the report, he would submit separate reports, recommending (1) the retaining of the restrictive powers hitherto exercised by the President for launching prosecutions against defaulters against municipal laws, (2) the retaining

Serial No

of the resolution of the H.C. to withdraw the prosecution launched against Mr. Paragasamuram (a Municipal councillor) who is stated to have started the construction of a building without a license and (3) the nomination of another Moorman in place of Mr. Ismail Mohideen who has vacated his seat for non-payment of arrears due to the M.C. These will be awaited.

5 The D.C. finally exonerates Mr. Navaratnarajah from all blame, in as much as he is doing everything for the improvement of the Town and the public is keen on dealing with offenders.

6 He states that the Municipal Council has brought matters to a head & that he should be asked to resign the Chair & orders of Govt. in the matter.

7 The reports are submitted with reference to the Deputy Commissioner's orders on the petition.

Action 10/10/31 — Vide pages 17 to 20 of the report the D.C. has summarised the charges the results of his enquiry and his opinion in the matter.

WD 03594—GPB—30 000—18 7 35

1778/8

File No of 1935-36 General and Revenue Secretariat

9 The Dycan has in the circumstances explained suggested that the Vice President may be asked to resign the Office If the Vice President does not act up to the Suggestion there is no provision in the Town Nelves Regn for compelling them to do so Govt can however take action to remove him from the Office under Sec 23 (11) of the Regn, after giving him an opportunity to hear him for misconduct in the Discharge of his Duties or for neglect or incapacity to perform his Duties We Dycan has not proposed ~~does not recommend~~ action being taken under this provision

Where? Please speak Mr 11/10

10 For perusal and orders

Mr 11/10

Dev Dey)

11 Please put up a draft letter to the VP from the Dc pointing out the various irregularities disclosed by the Inquiry Report which call for his removal from the Office

MV 16 10

MV 16/10

12 The memo showing the several instances of misconduct alleged against the Vice President by Mr Thomas Enquiry is prepared and put up It is a Summary

Serial No

of the important points in the D.C.s report

13 Two drafts are also put up for consideration

14 [The Washington Turf Club was reconstituted with effect from 1/1/1934 & term will expire on 31/12/1936, which means that if the Vice President continues, he will go on up to the above date as such In the cases of Chickaballum & Ferrijapalem Turf Clubs where there was some sort of misunderstanding between the Executive President & the elected Vice President, a Chief Officer has been appointed to see that the executive administration is carried on smoothly In this case also, (Where there is an Executive President) it is submitted for consideration whether if the D.C agrees, a chief officer may not be appointed for Washington Turf Club)

15 The memo appointing, which is to accompany the letter to the Vice President, may be got typed and put up

Regret etc 25/10

Flag K

Flag K
25/X/35

TYPING SECTION
5 OCT 1935
SECRETARIAT

Typewrite

NOTE.—Cover sheet

WD 0J 94—GPB—30 000—13-7 35

Re Vice President of the Philippines [illegible]

118 / 172

File No [illegible] of 193[illegible] General and Reve Secretariat

16
Vice memo of [illegible] is typed [illegible]

[illegible]
29 x 35 [illegible]/29/35 17 Draft [illegible] with reference to para

Dewey)

Am 29/10

25a
36.

18 The Governor's letter makes it clear that the V P with his following in the Council is going to be in the way of satisfactory administration & may [illegible] be almost certain to present a petition like Dewey is making false allegations against the President. When the D C's letter arrives we are trying to raise the issue & I am convinced that

19 It is necessary that the V P should never [illegible] under draft letter for approval

Sincerely
Dewey

MM
3/10
MM
3/10

[illegible] OF THE
ECONOMY OF CO
OCT
No. 3246

1
[illegible] Will the Secretary please speak to me ?

MM
2/11/35

I agree with the conclusions

1728

Serial No

No. 2816

If the Dy comm^r As regards action to be taken against the Vice President, the draft letter to DC (as revised) may issue after obtaining the Govt's approval

Rly
2/11/35

Typed draft—

Typed draft is put up for
2 11 35 Dewsbery Dewsbery

2804/11

2 11 35

94 Rly
4-11-35

5 11 35 25 Dsbne 5/11

2 To
The Deputy Comm^r, Tirupattur
No 2 32804 Dy 6-11-35
Requests him to forward a brief memo showing in precise terms the instances of misconduct on the part of the Vice President Madhavan Tirupathy, which comes to his notice during the course

NOTE—Contn Sheet

WD 03 94—GPB—30 000—13-7-35

2/11/35

Alleged misconduct on the part of the Vice President Washington Municipal

8

NK File No 118 V&S/1 of 1935-36 General and Revenue Secretariat

From

The D.C. Tuticorin

No A1. C. 25-25/34 dt 5-12-35

Forwards a memo showing in precise terms the actions of misconduct on the part of the Vice President of the Washington municipality which came to his notice during his recent Flag R

to Submitted for orders with reference to paras 21 & 24 supra.

Sra 11/12/35 NK 11/12/35 DeputySecy) AMR 11/12

27 The answer may please be sent

NK 12.12

38y 11/12 28 Typed memo & charges against the V.P is put up

NK 20/12 DeputySecy) AMR 20/12

29 The memo as answer here may be sent to V.P. Tuticorin also he be asked to also come why he should not be removed from the post of V.P Secretary

NK 23.12 AMR 23/12

30 NK 25/12/35

NK 26/12

The DeputySecy wanted the memo sent to him Please see the answer & the reasons for the same & speak to me

AMR 1/1

Type See me NK 20/12

20 DEC 1935 GENL

OFFICE OF THE SECOND MEMBER OF COUNCIL 23 DEC 1935 No 4836

Charges against the vice President Madhya

General and Revenue Secretariat — File No 118 of 193 5-36 [App F III—2

Serial No

30) Two drafts are subd for appn
for Dest Secy)
27/12/35

4219
27/12

31) Issue
for
27 12 35

4. To the Deputy Comr, Tumkur
no L4934 dated 3/36
fds a memo of charges against
the vice President, Madhya
Samithi & requests him to obtain
& forward the explanation of the V-P
within the time specified

5 To the Vice President, Madhya Samithi
no L 4935 dt 27/1/36
fds a memo of charges against
him as vice President of the Samithi
and requests him to submit
his explanation thro' the D.C within
a fortnight from the date of the Communication

Sd/ A
for
27/1/36

NOTE—Contd on Sheet

W D 03 94—GPB—30 000—18 7 35

Do

10 2681/V 4037

File No 118/L of 1935

General and Revenue Secretariat

From the Dy Comm Punjab
No 46 2528/34 dt 29-2-36
Forwards with his remarks the explan
of the Vice President of the Madhupur
Town mcty
Submitted with reg to Para 29
SP 29/2

33 Please get the ~~Summary~~ charges & the summary of the explanation of the Vice President & the remarks of the Dept Com put up here typed in the form of a statement

dtd 1/3

T V We for needful action pro 29/2/36

W 34 A typed statement is submitted, showing the charges against the Vice President & summarily the explanations of the latter and the remarks of the Dy Com

Typed copy read 1/3

35 The Vice President has finally stated that there is no substance in any of the charges, and that even assuming that the charges are proved, they may amount to mere irregularities and that ~~taken as~~ he cannot be said to be guilty of misconduct within the meaning of Sec 23 (4) of the Town Police Regn He was to be given an opportunity to represent his case personally or by Counsel, if his explanations are not considered satisfactory, but

36 The Dy Com has stated that the Vice President has not substantiated any charge against the President, that he has led a deputation against the latter through ulterior motives misrepresenting facts and that it is necessary to take

serious

Charges against the V-P Washington Township

General and Revenue Secretariat — File No 4037/11 of 1935-36 [App F III—2

Serial No

Serious notice of this misconduct

For orders

(Secy)

ASR 17/3

5905/17/3

37 It is very difficult to go into each case and affix the Vice President responsibility In some cases he has taken advantage of the President absence and has once of forever being in a majority to get things done which would not have been affd by the President This may not be honourable but it is not illegal

38 The main trouble is that the President and Vice President have different ideas every employment found which by itself cannot disqualify a person for being a V P

39 The D'i Council have to power to compound cases Though the V P might have given and has deliberately given a bad wrong lead to Council, it does not make the V P's ~~Council~~ actions illegal however undesirable they may be

40 The only serious matter is that the V P has signed a representation which contains inaccurate, highly exaggerated and very damaging statements of the President calling

NOTE—Contn Sheet

W D 03594—GPB—30 000—18 7 35

Charges against the Vice President Washington Territory 4037

12

Jml File No 118 4037 of 1935-36 General and Revenue Secretariat

in question even by handing over motives

~~Officers~~ This conduct certainly makes it undesirable that he should be allowed to continue as V P and hamper good or administration

4/ Before taking final action the V P may perhaps be given an interview by some Senior Member and given an opportunity to leave an unqualified offer of resignation. This I am suggesting in view of the continued position of the V P as the Ist Council Dignitary of the State and that he has never shown by V P be anxious to advise, a good deal of embarrassment might be caused

Yours sincerely

U J 36

I shall give him a hearing on 15/4/36 at 3 P M

30/3/36

Send with a draft letter

Issue

for 30/3/36 To Mr Rangachariar V.P Madras

No L 7489 D/ 1 4 36

Informing that the Hon'ble would grant him a hearing on 15 4 36 at 3 P M in his chambers

SECOND No 7306

TYPING SECTION I. L. R. 1936 REV SECT

Serial No

The Vice President, Mr Nanjiah Setty, was heard yesterday (15th April 1936) He repeated for the most part what had already been stated in his written explanation

On a perusal of the records, including the explanation of Mr Nanjiah Setty, it seems to me that the Vice President sometimes did things or prevailed upon the Municipal Council to pass resolutions, which were not entirely in consonance with the views of the President This is doubtless a matter for regret evidencing as it does, a lack of harmony in the relations between the President and the Vice President But it cannot be said that any of the acts attributed to the Vice President or to the Council at his instance were illegal or that they constitute misconduct justifying his removal under Section 23(11) of the Regulation

In the petition presented to the Dewan on the 6th September 1935 by the Vice President and certain Municipal Councillors, allegations of prejudice, high-handedness and dilatoriness were made against the President It was certainly objectionable on the part of the Vice President to have associated himself with other Councillors in presenting a petition of this kind, which, apart from the partial misrepresentations and illfounded complaints that it contained, was -- couched in language which it was improper for the Vice President to use while referring to his official -- superior Mr Nanjiah Setty has however tendered an apology for having used expressions savouring of disrespect to the President

NOTE.—Contn Sheet

WD 03 94—GPB—30 000—18 7-35

Charges against the Vice President Madhugiri Municipality

14037
ML File No 11425 of 1935-36 General and Revenue Secretariat

In these circumstances, it does not appear necessary to pursue the matter any further

The papers may be submitted to the Dewan before issue of orders

MEE
16/4/36

OFFICE OF THE SECOND MEMBER OF COUNCIL
16 APR 1936
No. 5000

DEWAN'S OFFICE
17 APR 1936
No. 6313

MR
17-4-36

MW 22/4 Appd 24/4

Submitted with draft letter to the D.C. Tumkur D&H for approval or orders

Appd MW 21/4/36

Dev Secy 21/4

MW 22/4 Appd 24/4

MEE
23/4/36

MW 23/4/36 Issue Appd 24/4

H SR 21/4

To

The Deputy Commr, Tumkur D&H

No. 2.8160 Dt 25/4/36.

Informs him that it is not necessary to pursue the matter any further, as the V.P. has tendered an apology in the matter.

OFFICE OF THE SECOND MEMBER OF COUNCIL
27 APR 1936
No. 5743

TYPING SECTION
21 APR 36
CLERK V SECTT.

BM
27/4/36

15

General and Revenue Secretariat	File No	of 193	[App F III—2

Serial No

NOTE —Contn Sheet

WD 03 J4—GPB—30 000—13-7 85

16

File No	of 193	General and Revenue Secretariat

I am ~~We are~~ sorry that in the petition by me and other Municipal Councillors presented to the Dewan on 6th September 1935, we used language suggestive of disrespect to the President of the Municipality There was absolutely no intention on our part to show disrespect to him and our idea was only to bring to ~~the~~ notice the acts of the President which, in our opinion, were harmful to the interests of the people Our subscribing to the petition as worded was due to our not comprehending the import of the expressions used therein and ~~We~~ I apologise for the language employed

15-4-1936

[illegible]

the report of the Sanitary Inspector on the subject

He insisted that the copies of records relating to Mr Narayanaswami's case should be given to him, though he (Vice President) was aware that a criminal case had been launched by the Municipality against Mr Narayanaswami and though the grant of copies was prejudicial to the interests of the Municipality

3 It was only a copy of the resolution (not records) that was asked for and granted ~~and time~~ Since this is a public document which every inhabitant could inspect, there was nothing wrong in having given a copy and ~~that~~ this in no way prejudiced the prosecution, as the original proceedings book was summoned and produced before the court

3 The Deputy Commissioner says that it was a fact that the Vice President insisted on a copy being given though the President ordered otherwise

In his representation to the Dewan and the Deputy Commissioner he made the following misappropriations against the President -

(1) that Mr Kumbiah had a grievance in that a license was not granted to him, whereas Mr Kurbiah has given a statement that he has no grievance

4 The Vice President states that the representation made by him along with others was not in his capacity as Vice President and that even if they are regarded as false, they cannot be made the basis of a charge under section 3(11) of the Regulation as he did not make them in the

(1) The Deputy Commissioner has explained that the delay in granting the license to Mr Kuntayya was not personally due to the President, the matter having been referred to the Director of Health He also states that the grievance evidently is that the President prevented the Vice President from dealing with the matter

61

Charges against the Vice President, Madhugiri Municipality	Explanation of the Vice President	Remarks of the Deputy Commissioner
In spite of instructions from the President that the matter should be brought to his notice before the grant of license, the Vice President granted licenses to one Mr Narasimhaiya for putting up a structure on municipal land	1 The Vice President states that no such instructions were given to him by the President and that the latter could not have given the same in the circumstances and that the license was only for a temporary structure	The Deputy Commissioner states that the Vice President was aware, through the clerk, that no license could be granted without the President's knowledge He also says that the intention of the party was to put up a permanent structure, and that he learns that the structure was put up by Mr Narasimhaiya without license and that in order to hide the discovery of this by the President, a license was granted in haste
Taking advantage of the President's absence and knowing that ~~there were~~ several representations had been received from the local people against the acquisition, he got a resolution passed for the acquisition of houses and sites near Sri Kannikaparameswari Temple—	2 The subject had not been deferred at 8 meetings as stated, ~~and that~~ He presided at the meeting at which the resolution was passed in the usual course when the sketch etc asked for at the previous meeting was ready, and ~~that~~ there was no reason to defer the subject, The President was present when the resolution was confirmed	2 The Deputy Commissioner states that it was a fact that the question had been deferred at 8 meetings and that the Vice President purposely got the resolution passed during the President's absence on 29-5-1934 by getting the plan and estimate prepared expeditiously He also interprets the President's order

cution against Mr Marianna was in the first instance launched by the Sanitary Inspector in the interests of municipal revenue, he misrepresented that the President was responsible for the action	all as the prosecution can be launched only with the sanction of the President	Standpoint with regard to the subject and he seems to think it all the same whether the Sanitation Officer lays a charge sheet or whether the President orders the prosecution
(iv) That in the case of Mr P K Nanjundiah, he represented that a building was constructed close to the drain, whereas the building is far off from the road and was constructed a few years ago	(iv) The representation was in respect of another building of Mr Nanjundiah in the same line of houses constructed recently without sufficient margin	(iv) The present President has not given any license to Mr P K Nanjundiah to construct any house on this road, but he granted a license to him in August 1935 to construct a compound wall on his site subject to sufficient road margin being left The charge is made against the Vice President out of spite
(v) that being aware that the Deputy Commissioner ordered that the price of the site granted to the Madhugiri Co-operative Society should be recovered from the Society, he said that the President was responsible for it	(v) He was not aware of the Deputy Commissioner's order regarding the price	(v) The Vice President was present at the Council meeting on 31-1-1935 at which the Deputy Commissioner's order was placed so it cannot be believed that he was not aware of the order

Charges against the Vice President, Kadhugiri Municipality	Explanation of the Vice President	Remarks of the Deputy Commissioner
	discharge of his duties as Vice President He however states as follows in regard to the several items - (i) The point of the representation was that the President prevented the Vice President from dealing with the applications for licenses, resulting in a lot of delay in their grants and that while T A Nanjundiah's application was granted, there was no reason why Kumbiah's should not have been granted	
ii) that knowing that Naraniah's and Aswathia's applications for licenses were defective and were returned for rectification of the defects he accused the President of unnecessary delay in the disposal of these cases	(ii) What was represented was a grievance that there was undue delay in the grant of license, though the applicants gave four plans It was not an accusation against the President	(ii) & (iii) The delay in granting the license to the two applicants was due to defective plans submitted by them which had to be returned four times for rectification

Charges against the Vice President, Madhugiri Municipality	Explanation of the Vice President	Remarks of the DeputyCommissioner
(vi) That though aware of the correspondence in connection with the estimate, plan etc , for the Town Hall, he stated that the president had not evinced any interest and that he delayed the construction of the building	(vi) There was no allegation against the President the petitioners were only eager that the work should be taken up and completed	(vi) The construction of the building depended on funds and a grant was expected from the Government also • If there was no allegation against the President, the matter need not have been mentioned in the petition to the Dewan
(vii) That the President held back the drainage work in the Agrahar street for four months, though the Vice-President himself dealt with the connected records and was aware that the estimate was sanctioned on 11th December 1934 and the contract was given on 31st January 1935	(vii) The point was that there was no progress till the end of 19th September 1935 and that the contractor said that he was ordered by the President to stop the work	(vii) The execution of the work was delayed mainly owing to paucity of funds The Vice President who dealt with the connected records now throws the blame on the contractor

6th Septf 1 35

Confidential
17/35-36/One memorial(4 sheets)

Dear Sir

I am desired to forward herewith a mem
(in original) presented to the Dewan on the 6th September 1935 by some of the Municipal Councillo: of the Madhugiri Municipality making certain allegations in regard to the administration of the Municipality by the President Mr H Niranjan Raj Urs and to request that you will kirdly make a personal enquiry and submit a report to Government early

Yours sincerely

MW

T Abdul Khader Esq B A
Deputy Commissioner Tumkur

(Return requested)

Camp's no 1 21

Confidential

Tel Address —DEPCOM Tumkur

In ply plea e ref
N Am6-2-28/34
E Dnt Petn

OFFICE OF THE DEPUTY COMMISSIONER
TUMKUR DISTRICT
Camp-Mysore
Dated/Tumkur the 5th October *193* 5

ml 118 35-1 1778/L

FROM

T ABDUI KHADIR Esq B A
Deputy Commissioner
Tumkur District TUMKUR

To,

M Venkatanaranappa Esquire ,B A
Deve*lopment Secretary to Government of My ore*
~~Development Department~~, *Bangalore*
Camp- Mysore

SIR

With reference to your letter No D O 17/35-36 dated 6th Septr 1935 directing me to make an enquiry and submit a report on a representation made by the Vice President and some Members of the Madhugiri Municipality to the Dewan against the Ex-officio President Mr H Niranjan Raj Urs(Assistant Commissioner) I beg to state as follows -

2 The petition itself contains only 3 or 4 specific grievances although several general allegations are made But as the language seemed to indicate that everything in Municipal affairs was bad I had two interviews - one with the Vice President and another with all the signatories with the exception of one(Mr F A Siddiah Setty)whose presence could not be secured as he was absent from the station I had discussion with them and have catalogued all their existing grievances I have also obtained an explanation of the President and looked into the records connected with the charges against the President

3 Madhugiri has never been free from factions in Municipal affairs I am aware of its local politics since a quarter of a century There are factions amongst lawyers who take up sides in every controversy frequently outside their profession There are serious dissensions in the affairs of the

of the local Co-operative Societies There are factions even in social institutions such as the Madhugiri Club which alternately langusishes and flourishes according as the officials take interest in it or are luke warm On account of factions they do not mix together in social matters even It has been difficult to get Madhugiri citizens to take interest in their Town as one body Under these circumstances or conditions the difficulties of officials who are posted to Madhugiri - Sub Division Officers Munsiffs Amildars Sub Registrars etc - are not ordinary

4 It may be seen from the complaints that in almost every one of them either a Municipal Member or his closest relation is an aggrieved party The complaints are thus personal Where it is not so a partisan has been chosen to air what he fancies is a grievance and the Vice President and the Members of his party in the Council have championed his cause It may also be noticed that in every case there is ust ard good reson for the President to take steps to set right a Municipal wrong I am not aware that the Vice President at any time took any real interest in the past in civic affairs I have seen two periods of his Vice Presidentship His recent activities are more in the nature of trying to screen offenders who should be made an example of for illegal acts

5 Five or six years ago the finances of the Municipality were in a satisfactory condition It had accumulated balances and some very useful work was done But the accumulated funds have been nearly exhausted and the present President has been doing his level best without any help from the Vice President and the majority of the Council to make both ends meet and to keep up the standard of the improvements of the past He has

23

He has been especially vigilant in stopping the leakage of Octroi revenue with the result that in spite of trade depression there is an appreciable increase in Octroi revenue in an interior non-trading place like Nedhugiri The Vice President is a Vaisya gentleman and a trader The Municipal Council consists of very influential Vaisya gentlemen who are traders and money lenders The President has been impartial and has treated all offenders - Municipal Councillors and others - alike in dealing with offences relating to Municipal laws Thus the Vice-President and his friends have been hit to some extent

6 The alleged irregularities brought to my notice by the signatories(who are all Municipal Councillors)during their interview with me consist of six license applications for construction or repairs of houses two of Octroi and one of disposal of a site

6 The most important license case is that of Municipal Councillor Mr Narasimhaswami This is referred to in para 3(b) of the petition to the Devan It will be seen from the petition that misunderstandings between the President and the Vice President and his followers started with an unauthorised construction of building by this Councillor-Mr Naravasimhaswami The building proposed to be constructed is on the Pavgada Road It faces the New Extension of the Town To the North of this building for over a hundred yards and adjoining Mr Narasimhaswami's site there is a vacant land all along the Pavagada Road All this vacant land like Mr Narasimhaswami's site also faces the New Extension In order that this portion of the old Town may appear decent and be as far as possible in conformity with the New Extension it was considered desirable that Mr Narasimhaswami's new building and the other houses which may be constructed on the vacant sites adjoining his

his building should all be some distance - 30 to 50 feet from the road Mr Narayanaswami alone so far as my enquiries go is opposed to this good principle Of course the Vice President and his party side him One Mr Kumbiah has also applied for a license to construct a house on this road lower down He is agreeable to construct a house and leave the margin as the President lays down in the license I am mentioning this to show that whereas a Municipal Councillor is not agreeable to and is not interested in the improvement of his Town there are citizens - his neighbours - who are more amenable to improvements and to the beautifying of the Town If this one house of Mr Narayanaswami is permitted to be constructed without sufficient margin between the road and the building all other owners of vacant sites on that road must also be permitted to construct their houses close to the road If this is permitted as I have already stated the old Town by contrast with the New Extension would appear very ugly At least on this show road - which I may mentionxxx in passing was selected for His Highness the Yuvaraja's drive during His Highness recent visit and also of the Dewan - the old Town should not be made to appear "ugly" Otherwise a person walking down the road will see on one side of the road neat and tidy buildings of the Extension thrown well back from the road and with decent compounds whereas on the other side of the same road buildings would be found close to this road and at all sorts of angles to the road I also beg to mention here that I am now and then personally scrutinising plans of houses which are proposed to be constructed on the main roads in this Town When the question of granting licenses for construction of houses on the vacant sites on this road was under the consideration of the President I suggested to him that the houses on this road

this road should not be allowed to be constructed close to the road without sufficient open space in front of the houses After Mr Narayanaswami applied for a license the spot was pointed out to me Now the case against Mr Narayanaswami is that he applied for a license and started construction before the license was granted He is a Municipal Councillor and ought to know that this was wrong It is for this illegal act that a case has been launched against him After the prosecution was launched the Council passed a resolution that it should be withdrawn No good reason is given for withdrawing the prosecution The Council have exhibited great partiality by passing this resolution They have not realised the implications of this resolution In the eyes of the public it will appear that a unicipal Councillor can do no wrong and that he is above all Municipal laws Whereas a Municipal Councillor ought not to break the simple well known law that he should not corstruct a house without a license This one act of the Municipal Members shows how perverse their views are on civic matters What is strange is about this case is that the culprit Municipal Councillor does not express any regret and pray for the withdrawal of the case against him' He felt some delicacy about it But his friends in the Council do not even feel so The President did not withdraw the prosecution as there are no extenuating circumstances The Council has retaliated by resolving that the powers exercised by the President all these years in the matter of ordering prosecution for offenc s against Municipal laws should be withdrawn' This shows the unreasonableness and spite against the President

The Vice President told me that Mr Narayanaswami asked for copies of records but these were not supplied to him With regard to this it has to be stated that Mr Narayanaswami was an accused The re-

records or copies of records relating to his prosecution could not be given to him by the President of the Municipality If Mr Narayanaswami felt aggrieved he could have come up in appeal to me He could easily get copies of records by applying to the Magistrate and satisfying the Magistrate that they are needed for his defence As the resolution of the Municipal Council to withdraw the prosecution is perverse and ~~and~~ against existing laws I am recommending that it may be vetoed As the present Municipal Council is not acting in the best interests of the Town and a check has to be exercised against offences I am also recommending that the resolution regarding the withdrawal of powers of the President should be vetoed

7 Narasimhiah s case for a license to put up a verandah in front of his house - Narasimhiah owned a house about 15 feet from the drain There are large vacant sites on both sides of his house On this road there is only one other house about 50 yards lower down which is close to the drain The road is about a furlong in length It is an important road It is desirable to keep a clear space of 15 feet between the houses and the drain on this side of the street throughout its length Narasimhiah applied for permission to build upon this vacant space which would have brought his building to the edge of the drain Finally a license to construct a verandah has been granted to him by the Vice-President temporarily within 3 days of his application What is"temporary" now will soon be converted into a permanent right Every owner now owning a site on this road might apply for permission to extend his house or verandah upto the edge of the drain I have seen the house and the vacant space in front of it I would most certainly not have granted a license to Mr Narasimhiah

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Narasimhiah This charge has been brought against the President as he objected to grant of licenses in such a case The scrutiny which the Vice President exercises is clear from the haste ~~xxxxxxxx~~ in which he sanctions licenses without care and idea of the improvement of the Town

8 The signatories represented to me that the President had permitted one Nanjundiah to construct a house close upto the edge of the Pavagada road in the same line as Mr Narayanaswami's house This is misrepresentation of facts The actual fact is that Nanjundiah wanted to construct a compound wall which has been permitted to be done throwing the compound wall itself back about 15 feet from the road Thus so much as 15 feet has been taken out of his site and included in the road Mr Nan undiah's house is more than 30 feet from the compound wall Thus Mr Nanjundiah's house is at least 45 feet from the road The Vice President made an allegation that the house of Mr Nanjundiah is 2 feet from the drain This is not correct It is the compound wall which is 2 feet from the drain The Vice President should not make such allegations I wish all owners of sites built their houses as far back as Mr Nanjundiah has done Mr Naravanaswami and his fellow Councillors might take a leaf with advantage and show the same sacrifice in giving up some of their land for a road as Mr Nanjundiah has done Mr Narayanaswami has not been asked to give up any of his land but only been asked to put his building 5 or 6 feet further back in order that there may be a decent compound to his own house The House Mr Narayanaswami is building is at a crooked angle to the road'

9 Kumbiah's license application - I have incidentally referred to this when discussing Mr Narayana -swami's case Kumbiah who is a contractor owns a large

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large vacant site on the Pavagada Road just a few yar away from Mr Narayanaswami's house He is quite willing to construct his house leaving as much margin from the road as the President lays down This spirit is in distinct contrast with the civic sense of Municipal Councillor Mr Naravanaswami Kumbiah told me that he had not been put to any inconvenience by the delay in granting him a license The delay is due to the fact that Mr Narayanaswami's case has not been settled on account of of the obstructive tactics of the Vice-President and his party I have not been able to understand why Kumbiah's case has been cited He told me that he had no grievance about the delay in granting him a license and that he was prepared to leave as much margin or open space as the Presidert pointed out, But the Municipal Councillors wish to find a grievance where there is none

10 License to repair Murtuza Sab's house - This is now the property of the Co-operative Society For really two years I had noticed that the house was in a dilapidated condition It was an eye-sore as it was clearly visible from one of the show-roads on which great personages are taken on a drive round the Town It is the road to the Taluk Office from the T B - I have been pressing the President to cause its dismantling and for levelling up the ground adjoining it or to get the house properly repaired providing for windows and doors in suitable positions The house was a vertable latrine and a positive menace to those who found cover to go there to ease themselves as the roof was very dilapidated and likely to come down Almost every member of the Council is a Member of the Co-operative Society The history of the license is that the application for reconstruction of the house was made without specifying the

specifying the position of the doors and windows This application was made during the absence of the President The Vice President granted a license in one day The President noticed that details had not been furnished He issued notice to the applicant that the license should be considered as suspended until details were furnished As soon as these were furnished the license was permitted to be operated upon Thus the President had no intention of refusing the license for the construction of the house The President was dealing the matter personally as I had given him instructions in the matter The Vice President who is a prominent member of the Co-operative Society took up the case in the absence of the President and issued a license without considering the fact that certain defectes in the plan had to be rectified The clerk who had definite knowledge that the President was personally dealing with this matter had been coerced by the Vice President to hand over the record to the Vice President The President naturally punished the clerk for disobeying his orders If the Vice President felt aggrieved that the President was slighting him there were other ways of approaching the higher authorities and getting matters set right than of coercing the clerk who is more responsible to the President than to the Vice President The action of the Vice President shows that the Vice President who after all occupies a subordinate position although having certain rights and powers wanted the Municipal staff to know that he was higher than the President and could over rule the President in his executive capacity The action of the Vice President is rank insubordination and would not be tolerated in Government service I may state here that this incident and the grievance have been trotted out long after the President issued a permanent license for the construction of the building with windows and doors in suitable places Thus even if the President works in the

in the best interests of the Municipality anything is considered good enough to attack him A grievance connected with this case is that the President cancelled a license which had been issued by the Vice President I have already mentioned that the President was personally dealing with this subject according to some instructions I had given to him It was improper for the Vice President to interfere in the matter and issue a license without consulting the President The license issued by him was defective in as much as he had overlooked the proper position of doors and windows and the compound wall etc The Vice President who is a member of the Co-operative Society should not have abused his powers and acted in defiance of the President Although the President has shown firmness in this case yet one can see that the Vice President(who is a member of the Co-operative Society attempted to obstruct and over-rule him As I have already said the complaint is lodged long after it ceased to be a complaint and a grievance

11 License Application of Narniah - The application for license has been received in the office only on 9-7-35 Within a week he was told that license could not be granted as he had not made proper provision for light and air and that no space has been left around the building He was asked to submit a revised plan It may be seen from this that the delay is due to the applicant himself whose plan for construction of a house did not fulfil the ordinary rules of construction of houses in a Municipality The party submitted a second plan a fortnight later This was not also satisfactory The President considering that the applicant did not know what sort of a plan he should submit the President got the Sanitary Inspector to make the necessary alterations in the plan This was given to the party on 3-9-35 who has

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who has resubmitted it on 12-9-35 It is a matter of ordinary experience that applicants for licenses to cons-truct houses more ofen than not do not prepare their plans properly Delays in such cases are inevitable If as the Vice President seems to desire that license should be given immediately on application without scrutiny houses will be constructed quite against all rules of sanitation This was a house in which apart from a portion designed for living a portion was intended to be reserved for a shop.

12 License application of Aswathiah - This case is similar to that of Paranaiah The plan which had not been properly prepared was returned to the party for verification and rectification and for purposes of ascer-taining details These were recently received

13 I shall next take up the Octroi cases in which the President has launched prosecutions against smugglers -

1 Harianna's case - The Vice President and the signatories state that Harianna brought in a few cocoanuts for house consumption but the Presidert has got a case launched against him This is a misrepresentation of the facts The Sanitary Inspector who is deputed to detect cases of smuggling learnt that Hariarna had smuggled some cocoanuts When the Sanitary Inspector was investigating the matter the Sanitary Inspector was assaulted and abused He therefore launched a Criminal complaint If this is not a case of smuggling the accused can adduce evidence to this effect in the proper Court The Sanitary Inspector seems to have applied to the President for financial aid to prosecute the case This has enraged some of the members If it is proved that the Sanitary Inspector was assaulted in the course of discharging his duty it is only proper that the Municipal

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Municipal Council should pay the expenses of the prosecution The Municipal Councillors are interested in this man's case because the/is a brother of one of the Municipal Councillors Just as in the case of Mr Narayanaswami a fellow Councillor they desire that Municipal laws should be aside for his benefit the signatories desire that relations of the Municipal Councillors should also be declared to be immune

It may be mentioned here that the accused has compounded this case by paying a handsome compensation to the Sanitary Inspector

14 Mandi Krishniah Chetty's case, of smuggling factory - The culprit is Mr Govinda Chetty's(Municipal Councillor)brother This case was detected by a Municipal Councillor Mr Pasavalingiah The Sanitary Inspector and Municipal staff investigated the case and the matter was then placed before the Vice President who took no action for over a month The accused was asked whether he would compound But the accused refused and threatened that he would file a case against the Municipality Hence a charge-sheet was filed An ugly turn the case has taken is that some Municipal Members are using their influence to suborn witnesses The President happened to tell them that such conduct was not in the interests of the Municipality The Members have retaliated by passing a resolution that the case should be withdrawn As smuggling seriously affects the income and finances of the Municipality and conniving at such has got to be put down it was proper for the President to point out to the Members that they should not espouse the cause of smugglers The matter was simple and sub judice Attempts should not have been made to thwart the President by putting abstacles in his way

15 Javali Venkatappa's case of smuggling - This was a

This was a case of smuggling which the President brought to the notice of the Council which did not object to the prosecution Nor did the man protest although he seems to have been offered the alternative of paying the penalty amount Yet even this is a complaint against the Presid -dent The Court has found him guilt and fined him R 25

16 In these two cases the charge against the President is that the houses of these persons were search-ed without a warrant It has to be noted that it is the staff who detected the cases and took immediate steps to search the houses They could not do otherwise Unless searches are not made promptly the smuggled articles would be stealthily removed It is nothing short of personal spite against the President that he should be held res-ponsible for every sins of ommission or commission of the subordinate staff, who generally act by themselves in such matters and report matters later The procedure adopted for the search is the subject of scrutiny in the Court In Venkatappa's case which has ended in convic-tion the Court has not found fault with the search' The Municipal Councillors should not act in such a manner that the case is prejudicially affected against the Municipality in the Court The Vice President and the Council besides obstructing the President and the staff seem inclined to look on with complecency and pleasure the struggles of the Executive Staff

17 There is also an allegation that after the Council passed a resolution that the powers of the Presi-dent were withdrawn by the Council he has yet launched prosecutions in Courts These powers were delegated to the President years ago The matter of withdrawing powers of the President which are being exercised by him for so many years does not rest merely with the Municipal Council who seem to be passing re olutions thoughtlessly The Presi-dent states th t there is only one case subsequent to the above resolution in which he has launched a prosecution

prosecution without leave of the Council It was an offence against the Octroi bye-laws In similar cases in the past the auditors had objected to the composition and compromises

18 Disenfranchisement of Mr Gouse Mohideen Shib

I have mentioned above in one of the paragraphs that after some improvements were carried out in the Town in 1932 and 1933 and the accumulated balances were used up the financial condition of the Municipality had to be immediately improved in order that some of the incomplete works - e g water supply construction of Town Hall etc - may be completed and the progress of the Municipality maintained. While going into facts and figures during my inspection in June last I noticed that collections were not satisfactory During my scrutiny I noticed that several Municipal Councillors were defaulters and had set a bad example to others Mr Gouse Mohideen was one of them I directed that all the Councillors who had defaulted should be served with special notices to pay up within 3 months according to rules All paid up except Mr Gouse Mohideen who therefore ceased to be a member Due formalities have been observed in his case just as in the cases of his brother defaulter Councillors who have paid up The same procedure has been adopted in his case as in the case of other defaulter Councillors But these have not objected. Mr Gouse Mohideen offered the lame excuse that for a portion of the demand his wife who occupied the house should pay But it is Mr Gouse Mohideen who is the registered owner of the house When this was pointed out to him he admitted he was wrong He is a nominated member He wanted me to condone his mistake As he had no particular grievance of his own and has played into the hands of agitators he deserves no consideration I am proposing another gentleman's name for fresh nomination

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nomination I am confidentially informed that he approached the President and proposed that he would loyally support the President in all matters in future if he was renominated and that he may be tried'

19 A general allegation is made that under the present President no Town Improvement works are being carried out The Vice President and the Municipal Councillors ought to know better than any one else that no Town Improvement is possible without funds For want of more the President was unable to pay up for a long time the bills of the first water supply scheme In connection with a second bore-well the Municipality has yet to pay some money I have been flooded with reminders and I am in my turn worrying the President But the Vice President and the Municipal Councillors - some of whom commit default in paying the legitimate dues of the Municipality - permit arrears to accumulate and do not in the least exert themselves to help in collecting taxes The President some time ago sent up a proposal that R 20 000/- may be advanced as a loan to the Municipalit for certain purposes I could not recommend the proposal as the finances are not in a satisfactory condition While passing the budget for 35-36 the Government have observed that there is not the prescribed minimum balance in this Municipality The Water Supply Scheme was taken up as some merchants also promised to subscribe to/ras it [illegible] I had to speak several to the promise-breakers for bringing about the downfall - which I fear is likely - of the scheme I am personally aware that the President is doing his best to persuade those who had promised to pay up but he is finding much difficulty He has incurred some displeasure on this account also I am very closely in touch with the affairs of this Municipality but neither the

neither the Vice President, nor ~~the~~ any member has seen n or told me that he has done anything or achieved any result The Vice President and the signatories also told me that the drainage of the Agrahar Street and petty road repairs have not been taken up There have been unusual--ly heavy rains this year and some roads are cut up here and there This was inevitable These grievances have been trotted out for want of something better Some roads have been cut up as spouts of the roofs of some houses are long and project ~~to~~ some distance beyond the drain so that water now falls with much force on the roads Th President has taken action against owners of some houses by issuing them notices to reduce the length of the spouts so that water may fall into the drain and not beyond the drain into the road It so happened that a notice was issued to the Vice President also The Vice President states that the house is not his but that of a y relation However when I wanted to see the house it was the Vice President himself who showed me the spouts and the house He challenged that the water fro the spouts did not fall or the road but fell in the dr in For purposes of demonstration and as suggested by the Vice President himself water was poured from a brass vessel (Chambu)- into the spout and to his own consternation it fell over a yard on the road beyond the drain and it could be seen that the road was cut up to a length of several yards He has several such spouts in the roof of his house If only some such spouts are reduced in length as the President thinks should be done the roads would not be so badly cut up after rains and some money spent on repairing the damages to the roads could be saved

20 I have discussed at length the merits of every charge against the President I beg to summarise the charges

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charges results of enquiry and my opinion as follows -

(a) Censoring by the President - There seems to be only one case of this kind This related to clear unauthorised construction of a building by a Municipal Councillor - (Mr Narayanaswami) - who ought to know better that he should respect a simple Municipal law that license should be obtained for constructing a house and that after a notice is issued he should not begin corstructing - that in this respect he was amenable to Municipal laws like other citizens

~~Citizens' protest~~ His behaviour is a very bad example to others In fact a large section of the public protested against the action of the Municipal Council who viewed with favour such a flagrant disregard of Municipal laws In this case the Vice President and others recommended that copies of certain records should be given to Mr Narayanaswami His status had been changed when he became an accused The President refused to give copies of the records If Mr Narayanaswami felt aggrieved he should have ~~appeal~~ appealed This he has not done A second instance of censoring complained of is that Mr Rama Rao (a Municipal Councillor) had submitted his notes of matters noticed by him during the time he supervised the Shardy The President has explained that it was not placed at the first meeting by oversight The President has placed it before the very next meeting This has been done before any complaint was made to me Obviously there was no intention on the Part of the President to burke the subject Actually there has been no censoring

(b) In the case of Mr Narayanaswami referred to above a prosecution was instituted against him for beginning to construct a building without a license and although

although a notice had been issued to him not to do so The Council in a spirit of partisanship resolved that the prosecution should be withdrawn In the mean-while there was an agitation amongst the public against the withdrawal of the prosecution Public opinion although it is against that of a few interested people has some times to be respected and cannot be flouted The President therefore did not withdraw the prosecution As there is no justification for withdrawing from such a prosecution and as the culprit himself has offered no apology for his behaviour in disregarding a notice issued to him this seems to be a fit case for vetoing the resolution I am submitting records to Government seperately

(c)-i The President has not attempted to coerce any Councillor On the otherhand the majority of the Councillors headed by the Vice President have been passing resolutions thoughtlessly Mr Veerasami as a Municipal Councillor does not enjoy any special privilege to construct buildings without a license To tell him that he should obey Municipal laws does not mean that he is being coerced

ii Similarly prosecutions against certain relations of Municipal Councillors who smuggled dutiable articles does not amount to coercion On the other hand such action is necessary to keep up the prestige of the Council that all persons are treated alike, even if they be relations of Councillors The Vice President and respectable Municipal Councillors ought to co-operate with the President and his staff in stopping smuggling so that the Municipal finances may improve On the contrary there is evidence that two of the Municipal Councillors were using their position to tamper with the witnesses The President has not done anything behind their backs but has brought these matters to the notice of the Council who as usual re-

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as usual resolved that no action was needed He dropped the matter It is therefore not correct to that he is intending to take action against them The charge is patently false

(c)-iii Mr Gouse Mohideen Shaw is a defaulter along with other Municipal Councillors Although others paid up according to a Special Notice Mr Gouse Mohideen did not do so According to rules he ceased to be a member He should thank himself for it

iv It is a false charge to say that the President has been trying to punish persons who he imagines are helping the majority of Councillors - for example -

(a) The Sanitary Inspector - This subordinate was punished because he has been talking disparingly about the President According to my information from other sources also the Sanitary Inspector has been setting up people against the President He is now on long leave and I have recommended his transfer out of the Municipality

(b) The Octroi Mutsaddi - I could not learn from the signatories in what particular instance the Octroi Mutsaddi was wrongly punished

Both the charges - (a) and (b) - are general The subordinates concerned have a right of appeal to the Deputy Commissioner which they have not exercised They have not even approached the Council The President has to take disciplinary action against Members of the Staff

(d) It is a fact that according to a by-law the Vice President has some powers of issuing licenses But the few instances quoted above - Murtuza Sab's building Narasimhiah's building - show that he has not been using his powers properly and that he disregards ordinary rules of sanitation permits encroachments(Narasimhiah's case)etc in order to be in good books of the voters The Vice Presi

The Vice President has not acted as a subordinate of the President but in defiance of the President There the President has issued special instructions to the staff the Vice President has interfered without adopting legitimate means of setting matters right - granting that there was any-thing wrong which however is not the case even in a single matter It is not the President who has directed the Vice President not to carry out the duties assigned to the Vice President but it is the Vice President who in a spirit of non-cooperation and obstruction given up attending to his duties of a Vice President The fact that the President is Ex-officio does not mean that the President is merely a figure-head and that the Vice President should rule the President and the situation We look more to the President to guide the affairs than to the Vice President of the type of Mr Hanumaiah Setty

(e) I have dealth with already with the allegations in this paragraph They are all general If the Water Works are not carried out and if the Town Hall is not yet constructed it is the Council which is to be blamed It is their duty to develope the ~~xxxxxx~~ resources and collect the money needed for these works They are throwing obstacles in the path of the President in ~~his~~ efforts to collect more They ever connive at offences leading to leakages in revenue

(f) In this charge again Mr Narayanaswami's case is referred to I have dealt it at great length already

20 In a petition addressed to me in March last (signed by two lawyers) some allegations had been made against the Vice President and some Municipal Councillors One of the charges related to alleged malpractices at the time of the last Municipal Election It is alleged that the Vice President purchased the votes of some of the

so e of t e ere The alle ti re re li ver relat
a d r u ef a ur e rd creati a sensation would be
erved by an enq iry into t e atter The Vice President
is an influential ers r and a rey-ler er Loreys ight
ave been advanced but no definite conclusi r can safely be
arrived at that it was f r purposes of obtainir votes that
he advanced oney He is also alle ed to have bought sites
in the new xt nsion in the name of his brother This can-
not be a serious c arge As rules are a Vice President is
not precluded fro purchasir sites nor are his relations
precluded A third alle ation is that i prove ents have
been carried out in that part of the Town in which houses
owned by him and his partisans are situated This is a fact
but the im rove ents have been duly effected on the resolu-
tions of the Council The Vice President and his partisans
in the Council have resolved upon openin a conservancy lane
and acquirin certain sites and houses for the purpose /
This resolution has been passed in a meetin at which the
Vice President presided The subject had been brou ht up at
8 meetin s but was always being deferred for about 3 years
by the Council when official President presided Two peti-
tions of a lar e body of citizens had been sent to the Deputy
Co missioner 2 years a o protestin a ainst the acquisition
of these houses and were within the know led e of the Munici-
al Council This is a clear abuse by the Vice President
of the privile e of presidin at meetin s to pass controver-
sial subjects especially those in which he is obviously
interested It should have been arran ed to be put up and
passed in a meetin presided over by the President

21 It has been brou ht to my notice that the citizens of Madhupiri are dissatisfied with the present Council which there is no denyin is composed of members who live in one part of the Town only and so e of who are money-lenders, and traders who at the last election used their influence in securin votes and admission into the Council A lar e body of citizens is in favour of

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favour of dividing the town into blocks I consider this necessary I shall issue instructions that at the next Elections which will be held next year the Town may be divided into blocks

22 The President has also incurred the displeasure of the Vice President and the signatories for having written a letter confidentially to Mr Venkatasubbiah a member requesting the latter to intimate what tax he pays The President learns that Mr Venkatasubbiah pays no taxes' Mr Venkatasubbiah has not yet cared to reply to the President It was a simple matter for a citizen to intimate to the President of a Municipality what tax he pays I shall make further enquiries in the matter

23 In conclusion I have to state that Mr Niranjan Pa Urs is very popular in his Sub Division He has been active In spite of very serious domestic calamities he was frequently touring in the Sub Division and was always ready to help the ryots during the distress He has been taking much interest in Village Improvement works It is only the handful of Municipal Councillors of Madhugiri who do not see what is for their own good who are dissatisfied with him Considering the finances of the Municipality he has been doing the best he can in spite of obstacles I know that in order to pay some bills he was himself at the collection work The perding bills at one time were discharged by paying mone in instalments There is nothing wrong with him It is only his fairness in not yielding to the Vice President and his partisans who wanted to favour some of their men that has led to dissatisfaction I think he has the welfare of Madhugiri at heart more than the Vice President and the signatories The latter should have been thankful to him for carrying on under the circumstances

The Vice President has brought matters to a head, and it seems to me that some action is necessary As he has failed to substantiate the charges I consider that he should be asked to resign the Vice Presidentship so that there may not be hampering in carrying out the executive duties of the President I solicit Instructions of the Government in the matter

I have the honor to be

Sir

Your most obedient servant

Deputy Commissioner
Tumkur District

6-9-35

To

The Dewan Sahib,
Government of Mysore, Bangalore

We, the undersigned Municipal Councillors most humbly and respectfully showeth as follows -

Your humble memorialists would not have at all approached you with this respectful petition if only it had been possible for them to obtain redress by adopting any alternative course Besides they are emboldened by your unfailing sympathy towards the principle of self Government and your unceasing endeavours and untiring zeal to make it function successfully through our local bodies But for the issue raised in this, our representation, being one ~~and~~ of such public importance and significance as the safe-guarding the right and previlege of the Council against the individual caprice of the President your memorialists would not have encroached upon your precious time and attention

2 The present ex-officio President of the Council is the Sub Division Officer r P Niranjana Raj Urs His recent administration in Municipal matters has become high handed, ~~[illegible]~~ arbitrary and

utterly illegal Personal prejudices against individual Councillors has clouded his judgment so far as to make him forget law and procedure In his attempt to overawe councillors who do not swear allegiance to him he has disdainfully disregarded rules and bye-laws and has reduced the machinery of the council a creature to his will Time and again numerous instances where he has acted illegally have been brought to his notice with the result that he has become more prejudiced The Councillors have no voice in the administration, their opinions are flouted and the principle of Self - Government reduced to a farce

3 Your humble memorialists beg leave to submit a few instances for your kind consideration

(a) The agenda for council meetings is not prepared in conformity with any rule or bye-law Subjects sent by Councillors if inconvenient to the President are strictly censored without his assigning any reasons, and subjects sent by his partisans are readily included

(b) Resolutions of the Council are not given effect to Inspite of the resolutions of the Council dated 9th March 1935 directing with-drawal of the prosecution against one Narayanaswami, the President has been prosecuting the case pending

pending against him in the Court of the First Magistrate of Madhugiri By another Resolution of the Council powers to launch prosecutions which had been delegated to the President alone have been withdrawn and yet the President has - been initiating prosecutions without obtaining leave of the Council It is expressed that expenses for these cases would be met out of the municipal funds even without the sanction of the council

(c) The President has been attempting to coerce the Councillors to blind obedience and to overawe opposition by all possible means, for eg

(i) he has instituted Criminal prosecution against a councillor Mr Narayanaswami and against the brother of Mr Govinda Setty who is also a councillor,

(ii) he has been intending to take action against the Councillors Messrs Govinda Setty and Srikantayya for alleged suborning of witnesses,

(iii) he has disfranchised one Mr Ghouse Mohideen Sab without any of the formalities and procedure enjoined by law,

(iv) the president has been trying to punish persons who he imagines are helping the majority Councillors for e g

(a) the president has taker action against the Municipal Sanitary Inspector as he was reported to have made some stray - comment,

(b) The Octroi Mutsaddi have also incurred

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the serious displeasure of the President for no other reason than that - ~~they are~~ he is sympathising with the majority of the Council,

(d) Since the President is Ex-Officio all the routine work was being done by the elected Vice-President The latter was issuing license for the last 10 or 12 years Because the Vice President did not choose to implicitely follow the President, but asserted his independence, he has lost the President's favour Now the Vice President is denuded of all his powers and functions He is not permitted to attend to the daily routine in the office and in cases where licenses were granted by him, the President has subsequently cancelled them The staff in the Municipal office are being reprimanded and even punished if they carry out very legitimate directions of the Vice-President This has brought the administration into an impasse, since orders passed by the Vice-President on matters which are perfectly within his competence are liable to be vetoed the next day by the President This state of affairs is very unwholesome and has been slowly undermining the confidence of the tax payer in Civic Administration

(e) It is most regrettable that public should

should suffer on account of this unhealthy controversy Being wholly engrossed in devising ways and means to coerce the councillors who do not see eye to eye with the President he (The President) has neglected the improvement and amelioration of the conditions prevailing But more progressive works are being hindered merely because they are sponsored by the memorialists No interest is being evinced in the construction of the Town Hall, and the Water Works which would have been a great blessing to the Townsmen been a failure The controversy re the construction of the Society building is being fanned The Municipal roads and drains which are in a deplorable state specially on account of recent heavy - rains, have not been receiving any attention The Municipal budget is, as characterised by the President himself, is a result of juggery Thus everything calculated to add to the convenience and - comfort of the tax-payer is at a stand-still

(f) How the President has been acting very arbitrarily and capriciously could be judged - from the facts He personally got the building of Mr Narayanaswami, a Municipal Councillor, dismantled He got a house searched without any - warrant He has refused to grant a copy of Municipal records to a Councillor which he was entitled

to

to get He has launched a prosecution against a person who brought a few cocoanuts from his garden for domestic use These are a few of the attempts made by the President to bring about a clevage among the Councillors and reduce their strength

4 Your humble memorialists beg leave to respectfully submit that they have made these - statements with a full consciousness of their - responsibili and they are prepared to substantiate them They have always been willing and even anxious to co-operate with the President to ensure smooth working of Municipal ~~working~~, but the President has neither the patience nor the - ~~courtesy~~ courtesy to give the memorialists a - hearing His povers are plenary and the statute has not exercised any restraint on him Under these circumstances, Self Government has become a mere shadow and we, the representatives of the tax-payers, are helpless It has become impossible for your memorialists to continue as Councillors when the President is so autocratic The Council has been virtually superseded and the President alone represents the entire Council This, we humbly beg to submit, is a travesty of Self-Governing Institutions and it is well-nigh impossible for us to work consistently with self

self-respect and with a realisation of our position as the Elected Representatives of the Tax Payers

Your Memorialists most humbly ~~importune~~ beg that you, Sir, may be graciously pleased to institute an inquiry into the matter and grant such relief as may be deemed just and expedient

Bangalore,
6th September 1935

ಉಪಾಧ್ಯಕ್ಷರು
Vice President

M Rama Rao
ಎಂ ವೆಂಕಟಸುಬ್ಬರಾವ್
ಎಂ ವೆಂಕಟಸುಬ್ಬಯ್ಯ
ಎಸ್ ನಾರಾಯಣಸ್ವಾಮಿ

Section

File No

Serial No

Diary No of letter replied to

No

To The D.C

Tumkur Dist

Subject Mr. Irregularities in the Vth Cl. Road of [illegible]

Sir,

I am directed to forward herewith in original a letter with its enclosure addressed to Mr. S. Nanjappa Setty, Vice President of the Madhugiri Town Municipality asking him to show cause why action should not be taken against him under Sec 23 (11) of The Mysore Town Municipalities Regulation 33, to remove him

General and Revenue Secretariat

( )

the *193*

Date of issue

Signed by

List of enclosures

Copied by

Examined by

With reference to your letter No A6-2528/34 dated 5/10/35 on the above subject, I am directed to say that Govt propose to issue a notice under Section 23 (11) of Regn to show cause why he should not be removed from the post of V.C. & P. Therefore to request that you may send a brief memo stating in precise terms the reasons of misconduct

from the Vice President,
request that the same
be caused to be served on
Mr Naujah Setty and his reply
obtained & forwarded to Govt
with your opinion thereon,
so as to reach this office on
or before the 20th NOVr 1935

I have etc

Secy to Govt

Section

File No

Serial No

Diary No of letter replied to

General and Revenue Secretariat

( )

tne 193

Date of issue

Signed by

List of enclosures

Copied by

Examined by

No

To

S Rangiah Setty Esqr
Vice President
Madhugiri Panch
(Thro the D.C Tumk

Sir,

I am directed to enclose herewith Memo showing the Textual mistakes & mis-conduct on your part as V P of the above titled Panchayat brought to the notice of Govt and to request you to show cause why action should not

be taken against you
under Sec 23(1) of
the Mysore Municipalities Act
1933 to remove you from the
Office of the Vice President-ship of the Mcty
your reply may be sent
thro' the D.C Tumkur Dist
on or before the 14th inst 1935

I beseech

Yours
25/10

Memo showing instances of mis-conduct on the part of the Vice President of Vaniyambadi Town Municipal Council

(1) That the Vice President granted a license to Mr Narasimhiah, Municipal Councillor to construct a verandah temporarily in front of his house, quite close to the edge of the drain, though the President objected to the grant of license in such cases. The license was given hastily (within 3 days) without scrutiny, though the President objected to the grant of a license in such cases

(2) That he made certain unsubstantiated allegations against the President, viz that one Mr Nanjundiah was allowed by the President to construct his house quite close to the Pavagada road-two feet from the drain - which is a misrepresentation, since the said gentleman has built his house about 45 feet away from the said road

(3) That he has resorted to obstructive tactics, especially in seeing that the case filed against Mr Narayanaswami for unauthorised construction of a house is dragged on

(4) That he granted license within a day during the absence of the President to repair Mr Murtuza Sab's house, though the details originally asked for by the President personally has not been furnished, and

~~(5) That he~~ (5) Compelled the Municipal Clerk to hand over to him the records connected with this case ~~though shown~~ though the President was personally dealing with the matter above, which amounts to mal-administration by the President

(6) That he put obstacles in the way of action being taken against smugglers of buffaloes especially in the case relating to the smuggling of jaggery by Mr Mahli Krishna Chetty

(6) That he disregarded that the water from the spouts of his house did not fall on the main road whereas it was actually proved to him that it was otherwise

(7) That he has disregarded the ordinary rules of sanation and allowed encroachments to take place especially in cases Nos 1 and 4 referred to above

(8) That he presided at meetings and had resolutions passed in respect of controversial subjects, especially those in which he was obviously interested, though such subjects should have been brought up at meetings presided over by the President e g Improvements effected in that part of the town in which houses owned by the Vice President and his partisans are located One of such instances was the one in which the Council presided over by him resolved upon opening a conservancy lane and acquiring certain sites and houses for the purpose The case was controversial one and had been brought up at 8 meetings presided over/the President, but always been purposely deferred

(9) That the Vice President is taking advantage of his position to gain his personal ends and that with the help of his partisans he is trying to hamper the carrying out of the executive duties vested in the President and by the Municipal staff

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To me 118-35-2

The Deputy Commissioner Tumkur Distt

Subject - Alleged irregularities of the Vice-President of the Madhugiri Municipality

---

Sir

With reference to your letter No A6 2528/34 dated 5-10-35 on the above subject I am directed to say that Govt propose to issue a notice to Mr S Nanjiah Setty Vice President, Municipal Council of the Madhugiri Town under Sec 23 (1) of Regulation to show cause why he should not be removed from the position of V P I am therefore to request that you may kindly send a brief memo showing in precise terms the instances of mis orduct on his part which came to your notice during your recent enquiry

I have &c

Secy to Govt Dev Dept

C R G

60

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 3284/ml 118-35-2 General and Revenue Secretariat

Dated Bangalore 6th November 195 7

FROM

The *Secretary to the Government of His Highness the Maharaja of Mysore*
Development Department

To

The Deputy Commissioner, Tumkur District

SIR

Subject:- Alleged irregularities of the Vice-President of the Madhugiri Municipality

With reference to your letter No A6-2528/34 dated 5th October 1935 on the above subject, I am directed to say that Government propose to issue a notice to Mr S Nanjiah Setty, Vice-President of the Madhugiri Municipal Council under Section 23(11) of the Town Municipalities Regulation to show cause why he should not be removed from the position of Vice-President I am therefore to request that you may kindly send a brief memo showing in precise terms the instances of misconduct on his part which came to your notice during your recent enquiry.

I have the honor to be,
Sir,
Your most obedient servant,

For Secretary to Government,
Development Department

S R S

118-35-3 61

Address —DEPCOM Tumkur

In reply plea refer
No K.C. 2528/xx
En one

OFFICE OF THE DEPUTY COMMISSIONER
TUMKUR DISTRICT

Dated Tumkur the 9th December 1935

2681/L

FROM

T ABDUL KHADIR ESQ B A
Deputy Commissioner
Tumkur District TUMKUR

To

M. Venkatanaranappa, Esq., B A.,
Secretary to Government of Mysore
Development Department Bangalore

SIR

Reference - Alleged irregularities of the Vice-President of the Madhugiri Municipality

---

With reference to your letter No L 3289/1 1 118-35-2 dated 6/7th November 1935 on the subject noted above, I have the honor to forward herewith a memo as desired, showing in precise terms the instances of misconduct on the part of the Vice-President of the Madhugiri Municipality which came to my notice during my recent enquiry

I have the honor to be

Sir,

Your most obedient servant,

Deputy Commissioner,
Tumkur District

The Vice President, Madhugiri Municipality is requested to offer his explanation on the following points found in a petition to the Dewan signed by himself and some Municipal members, or brought by him to the notice of the Deputy Commissioner when the Deputy Commissioner made enquiries

1 He has not used proper discretion in granting license to Mr Narasimhiah to put up a structure on Municipal land Moreover, he has done this in spite of specific instructions that before the issue of a license the matter should be brought to the notice of the President

2 He has issued a license in the case of repairing of a building on the T B - Taluk Office Road, belonging to the local Co-operative Society in spite of orders from the President that license should not be issued without the knowledge of the President

3 He has got an important resolution passed at a meeting at which he presided taking advantage of the President's absence The resolution related to acquisitions of houses and sites near Sri Kannikaparameswari Temple, regarding which there was much controversy and representations of people against acquisition - The Vice President was aware of the importance of this as the matter had been deferred at eight previous meetings

4 He has misrepresented that Mr Kumbiah has a grievance that license was not granted to him Whereas Mr Kumbiah has given a statement that he has no grievance

5 Being aware of the fact that Naraniah's and Aswathia's applications for licenses were defective as details had not been given and that the licenses were returned to them in the usual course for rectifying defects he brought a wrong charge against the President of unnecessary delay in these cases

6 Being aware of the fact that the Prosecution against Mr Harianna was in the first instance launched by the Sanitary Inspector he misrepresented that the President was responsible for that action This case was in the interests of Municipal Revenue

7 In the case of Mr P Ranjundiah, the Vice President's charge is that a building was constructed close to the drain whereas

Wheras the building is far off from the road and was constructed a few years ago

8 The Vice President himself has dealt with the constructio of drain in Agrahar Street He has called for tenders and taken the utchalika from the contractor He has wrongly charged the President with the delay He was dealing with similar cases himself

9 The Vice President was aware that the Deputy Commissioner ordered ~~ordered~~ that the price of the site granted to the adhugiri Co-operative Society should be recovered from the Society The Vice-President's charge that it was the President who was responsible for this is not true The Vice President will explain how this matter in which the unicipality gained a large sum was gainst the interests of the unicipality

10 The Vice President is fully aware of the correspondence in connection ith the estimate, the plan etc re the construction of the Town Hall is statement that the President (Mr Niranjan Raj Urs has not evinced any interest and that the President delayed the construction of the same is not true How the President is responsible, the Vice President has to explain

11 The Vice President has stated that the President held back the drainagae work in the Agrahar Street for four months This seems to be a misrepresentation of facts The estimate was sanctioned on 11-12-34 and the contract was given on 31-1-35 The Vice President is fully aware of this since he himself dealt with the connected records The Vice President will please explain this

12 Being aware of the fact that a Criminal case had been launched by the unicipality against Mr Narayanaswami, he insisted that copies of records relating to Mr Narayanaswami s case should be given to him This was prejudicial to the interests of the unicipality The Vice President will please explain his conduct in this matter

Deputy Commis ioner
Tumkur District

Appendix F G—1]

SUBJECT

63

Diary No of letter replied to

General and Revenue Secretariat

( )

the 193

Date of issue 3/1/36

Signed by Mr A V Ross

List of enclosures

Copied by

Examined by

T Draft)

Section one

File No 118-35-

Serial No 4

No L4934 Enc 2

To

The Deputy Com^r
~~Amritsar~~ Tinkun D&R

Sir,

With reference to the correspondence ending with your letter no C 2595/34 dated the 5th Dec 1935 bringing to the notice of Govt certain irregularities on the part of the agriculturists in the Madhupur Tarn Mal Cl, I enclose one directed to former

WD 08601—GPB—80 000—23 9 35

herewith a letter addressed
to the vice President calling
upon him to show cause -
why he should not be
removed from office and to
request you to forward the
same to him and obtain &
forward his reply thereto within
the time allowed, with your
own remarks on the
explanation

I have etc

Navy Dept
Feb 2 - 2

II Dept 65

L 4935
Encore ml 118-35-5
To Dy 3/1/36

S Nanjiah Lab Engr
Vee Mettur
Mettur Dam Proj

(Via the Dy Commr

Sir,

It has been brought to the notice of Govt that certain irregularities have been committed by you in the discharge of your duties as Vee Mettur & the Executive Engr and a memo of charges against you is enclosed herewith. I am directed to call upon you to show Cause why you should not be remove

Feb

from the Office of the
Vice President under sec
23 (11) of the Mysore Town
Rules Regulation, 1993. Your
reply should be sent thro' the
Dy Commr Tumkur Dist within
a fortnight from the date
of this Communication

I herewith
MW
Secy to Govt
for D D

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Charges against the Vice-President, Madhugiri Municipality

---

1 ~~That~~ In spite of instructions from the President that the matter should be brought to his notice before the grant of license, the Vice-President granted licenses -

(i) to one Mr Narasimhaiya for putting up a structure on municipal land,

and

(ii) to the local Co-operative Society for repairing its building

2 ~~That~~ Taking advantage of the President's absence and knowing that there ~~was much controversy and~~ several representations ~~of~~ have been received from the local people against the acquisition, he got a resolution passed for the acquisition of houses and sites near Sri Kannikaparameswari Temple - a subject which had been deferred at eight previous meetings

3 ~~That~~ he insisted that the copies of records relating to Mr Narayanaswami's case should be given to him, though he (V.P.) was aware that a criminal case had been launched by the Municipality against Mr Narayanaswami ~~him~~ and though the grant of copies was prejudicial to the interests of the Municipality

4 ~~That~~ In his representations to the Dewan and the Deputy Commissioner he ~~has~~ made the following ~~many~~ some representations against the President -

(i) ~~That~~ That Mr Kumbiah had a grievance that a license was not granted to him, whereas Mr Kumbiah has given a statement that he has no grievance

(ii) That knowing that Naraniah's and

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Aswathia's applications for license were defective and were returned for rectification of the defects, he accused the President of unnecessary delay in the disposal of these cases

(iii) That being aware that the prosecution against Mr Harianna was in the first instance launched by the Sanitary Inspector in the interests of municipal revenue, he misrepresented that the President was responsible for the action

(iv) That in the case of Mr P K Nanjundiah, he represented that a building was constructed close to the drain, whereas th building is far off from the road and was constructed a few years ago

(v) That being aware that the Deputy Commissioner ordered that the price of the ~~site~~ site granted to the Madhugiri Co-operative Society should be recovered from the Society, he said that the President was responsiole for it

(vi) That though aware of the correspondence in connection with the estimate, plan etc , for the Town Hall, he stated that the President had not evinced any interest and that he delayed the construction of the building

(vii) That the President held back the drainage work in the Agrahar street for four months, though the Vice-President himself dealt with the connected records and was aware that the estimate was sanctioned on 11th ~~November~~ December 1934 and the contract was given on 31st January 1935

Exh2 70

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 4934 Enc 2 / ME 118 35-4

Dated Bangalore 28th December *1935* 3-1-36

From

The *Secretary to the Government of His Highness the Maharaja of Mysore*
Development Department

To

The Deputy Commissioner,
Tumkur District

Sir

With reference to the correspondence ending with your letter No C 25°5/~4 dated the °th December 19~5 bringing to the notice of Government certain irregularities on the part of the Vice President of the Madhugiri Town Municipal Council, I am directed to enclose herewith a letter addressed to the Vice President calling upon him to show cause why he should not be removed from office and to request you to forward the same to him and obtain and forward his reply thereto within the time allowed with your own remarks on his explanation

I have the honour to be,
Sir
Your most obedient servant

For Secretary to Government
Development Department

mk

Extra 71

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 4935 Encl
ME 118 355

Dated Bangalore 28th December 1935
3-1-36

From

The *Secretary to the Government of His Highness the Maharaja of Mysore*
Development Department

To

S Ranjappiah Setty, Fso
Vice President,
Madhugiri Town Municipality
(Through the Deputy Commissioner, Tumkur District)

Sir

It has been brought to the notice of Government that certain irregularities have been committed by you in the discharge of your duties as Vice President of the Municipal Council and a Memo of charges against you is herewith enclosed I am directed to call upon you to show cause why you should not be removed from the office of the Vice President under Section 23 (11) of the Mysore Town Municipalities Regulation, 1933, your reply should be sent through the Deputy Commissioner, Tumkur District within a fortnight from the date of this communication

I have the honour to be,

Sir,

Your most obedient servant,

For Secretary to Government,
Development Department

mk

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OFFICE OF THE DEPUTY COMMISSIONER
TUMKUR DISTRICT

Dated Tumkur the 29th February 1936

4037/L

FROM

T ABDUL KHADER Esq BA
Deputy Commissioner Tumkur District
TUMKUP

To

M Venkatanaranappa Esq B A
Development *Secretary to the Government of Mysore*
BANGALORE

SIR

Subject — Charges against the Vice-President, Madhugiri Town Municipality

Adverting to your letter No L 4934/L1 118-35-4 dated 3-1-36 forwarding a letter addressed to the Vice-President Madhugiri Town Municpality calling upon him to show cause why he should not be removed from office and requesting that his reply may be forwared with my remarks on the same I have the honor to forward herewith the explanation of the Vice- President and to state as follows -

1 The first charge relates to the grant of a license by the Vice-President to one Mr Narasimhiah to put up a temporary structure in front of his house The Vice President's reply is contained in para 1 - pages 1 and 2 - of his explanation The license has been granted in the absence of the Presidert within three days from the date of application The Vice-President was fully aware through the clerk that no license could be granted without the knowledge of the President but still he has hurried to grant the license His contention that he had no instructions that license application should be submitted to the President does not therefore stand The Vice President states that the license was granted temporarily But the President reports that Narasimiah is protesting to remove the structure It is clear that the intention of the party was to put up a permanent structure He has now to be evicted All this could have been avoided if the Vice-President had not been indiscreet in granting any license at all

It is also obvious that the Vice-President's intention was to grasp at the powers of the President during the latter's absence The Vice-President is clearly making an inaccurate statement of facts in saying that "on both sides of the applicant's house there are other residential houses abutting right up to the Municipal drain" This is not so There are only vacant spaces adjoining Mr Narasimhiah's house The houses abutting on the Municipal drain are at some distance from Mr Narasimiah's house If this temporary varandah portico or structure is permitted the owners of adjacent vacant spaces will have to be shown similar concession A mistake or abuse in the granting of license to owner of houses abutting on the Municipal drain years or decade ago is no justification that even in these days previous errors should be followed and matters made worse The Vice President states that the neighbours did not raise a protest about the granting of this license They could not be expected to do that as they might themselves be expecting similar concessions of putting up structures right up to the drain I am confidentially informed that as a matter of fact that structure was put up by Mr Narasimhiah without license and that in order to hide the discovery by the President license was issued in haste

2 The next charge is with regard to the acquisition of houses and sites near Sri Kannikaparamesvari Temple The Vice-President's expalanation is contained in paras 2 and 3 - pages 2 to 5, of his reply This subject had come up before the Council during 8 meetings as recorded in the Proceedings Book of the Council on the dates mentioned in the margin and deferred no reason being assigned for the same

1	23-6-32	- Deferred by President
2	2-8-32	- -do- " -do-
3	12-9-32	- -do- " -do-
4	3-11-32	- -do- " Vice-President
5	19-1-1933	- -do- " President
6	27-4-1933	- -do- " -do-
7	29-6-1933	- -do- " -do-
8	13-8-1933	- -do- " -do-

Cn 14-11-1933 when Mr B S Raghavendra Rao President - presided it was resolved that the Sanitary Inspector may be asked to prepare a plan and estimate and put it before the next meeting It is therefore quite correct to say that the subject was deferred at 8 meetings and the Vice-Pr

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Vice President is wrong in stating that the subject came up only on 14-11-1933 He himself presided at a meeting on 3-11-32 when the subject was deferred He conveniently forgets this and states that the subject was brought up only on 14-11-33 The matter was again brought before the Council on 23-5-34 when the Vice-President presided It is noticed that due formalities regarding this subject were not observed for in the agenda that was circulated amongst the members on 12-5-34(prior to the meeting announced to take place on 23-5-34)this subject was not included The subject was an important one If it had been included perhaps the President would have arranged to be present as there was popular agitation against it The Vice President being certain that the President would be absent from the meeting on 23-5-34 ordered the Sanitary Inspector on 22-5-34 to prepare the plan and estimate This is made clear from the fact that the Sanitary Inspector in his report dated 23rd May 1934 submitted to the Vice President states <u>As per personal instructions of the Vice President, I have herewith enclosed a sketch showing the portions of houses and vacant sites required to</u> be acquired etc , It is therefore clear that the Vice President did take advantage of the President's absence and got a resolution passed on 23-5-34 to acquire the lands and houses in question It is not correct interpellation of the President's order to say that he approved of the resolution dated 25-3-34 for the President has remarked on the Sanitary Inspector's report referred to above that - "<u>Other</u> conservancies which have been laid out have to be formed with drains etc What is the amount provided in the year's Budget" which means that he did not want this work only to be taken up particularly and in preference to other works On the other hand the Presidents's intertion seems to be to consider on merits the question of opening up of this street along with the opening up of <u>other</u> streets A resolution of this kind benefitting a particular community - in this instance the Vaisyas - could easily be passed in the Madhugiri Council as at present constituted as it contains an over-representation of this community and some of the members are influential money-lenders and weild considerable sway over the Municipal Councillors

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Councillors and some citizens The Vice President is a Vaisya gentleman and could easily influence the Council especially when the President was absent and attacks by himself and his partisans against the President had already been commenced I can believe that the Vice President has been instrumental in getting the resolution passed making sure that the President would be absent The Vice President in his explanation states " Some of the members of the Arya Vaisya Community presented an application to the Deputy Commissioner praying that a small portion of the sites and land proposed to be acquired for purposes of opening a conservancy land behind Sri Kannikaparameswari Temple may be granted to them for extending their temple It is obvious from this statement that more space or land than was actually needed for opening a street was intended to be acquired in order to accommodate the Vaisya Community If only as much land as was needed for the opening of the street or laying out a conservancy lane was acquired there would have been no land left over for grant to the Vaisya community Thus under the ostensible declaration of acquiring land for laying out a conservancy lane there was also the hidden motive of accommodating a particular Community of which the Vice President is an influential member and being in office as Vice President he could manage to get a resolution passed as per his desire

3 The third charge is about the grant of copy to Mr Narayanaswami Municipal Councillor As this gentleman was an accused in a Municipal Case(construction of a building without a license) the President ordered that copy applied for by him should not be granted while the Vice President insisted that copy should be given for he expressed this even before me - please vide para 7 of my letter No A6-C 2528/34 dated 6-10-35 In fact the Vice President had ordered on the application of Mr Narayanaswami that a copy might be granted and a copy would have been granted in the usual course In this case the President seems to have thought that the accused Councillor would have used the copy against the interests of the Municipality

4 I shall next deal with the representations made to the Dewan by

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by the Vice President, against the President

(i) The delay in granting the license to Mr Kumbayya was not personally due to the President As there was a difference of opinion in the Council in the matter ~~of~~ of opening a conservancy lane the subject was referred to the Director of Health As I have already stated Mr Kumbayya does not complain about the delay But the Vice President considers that anything will do to put up a charge against the President From the explanation of the Vice President it is clear that the grievance is that in this matter the President effectively prevented the Vice President from dealing with the matter If really the matter had been left with the Vice President perhaps the Director of Health would not have been consulted and the conservancy lane would have taken an undesirable shape or would have been practically useless It may also be noted that while crying for the liberty of action for himself he does not want that the President who, is his superior should exercise any powers of a superior or at times even exercise his powers

(ii) ///The delay in granting a license to Messrs Naranayya and Aswathyya was due to defective plans being submitted in the first instance by the parties These plans had to be rectified by the parties otherwise unsuitable buildings would have been constructed That the plans were returned four times only shows that the President was particular that there should be adequate provision for light and air and other necessary matters Such scrutiny of plans and rectification involves some delay It also shows the thoughtlessness & obstinacy of the applicants An automatic or in other words blind sanctioning of a license for a building has often led to unsightly and unhealthy buildings being constructed This matter has been dealt with in detail in my report dated 6-10-35 (iii) The Vice President has slightly changed his standpoint with regard to the prosecution against Mr Parianna He seems to think that it is all the same whether the President orders the Prosecution or the Sanitary Inspector by himself places a charge-sheet against any one as the prosecutions can be launched only with the sanction of the President

(iv) The only license given to Mr P K Ranjundiah by the present

President

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President was in August 1935 and is to construct a compound wall on his site in the old Pavagada Road The President has inspected the spot and granted a license subject to sufficient road margin being left The present President has not given any license to Mr P F Nanjundiah to construct any house on this Road ~~with~~ ~~in~~ ~~margin~~ Mr P F Nanjundiah constructed a house on this road without leaving a margin for which license has been granted t some previous President But the charge is against the present President on account of mere spite In 1933 the Vice President h granted a license to Mr P F Nanjundiah to build a house on the old Pavagada Road

(v) The order of this office to recover the cost of site whicl was proposed to be given to the local Co-operative Society was pl before the Council on 31-1-35 when the Vice President was also present His explanation that he was not aware of this order is far from the truth and is not based on facts It cannot be beli that the Vice President who is a leading member of the Co-operati Society and the Vice President of the Municipality was unaware th the Society had been ordered to pay the price to the Municipality

(vi) The construction of the Town Hall is dependent on funds The Council expects some grant from the Government also Althoug aware of these difficulties the Vice President has chosen to associate himself with and put up the signatories to the Memoria lodge a complaint If there was no allegation against the Pres dent as the Vice President says there was no necessity of ment ing it in the petition to the Dewan

(vii) The execution of the drainage work was delayed mainly o account of paucity of funds The President cannot be held res- ponsible for the same I have already stated in my previous le that the Vice President dealt with the connected records He n throws the blame on the Contractor

In conclusion I have to state that the Vice President failed to substantiate any charge against the President and tha has led a deputation against the President through ulterior moti misrepresenting facts

Su

78

Such conduct is unbecoming on the part of an office-bearer and a public servant It is necessary to take serious notice of his misconduct

I have the honor to be

Sir

Your most obedient servant

Deputy Commissioner,
Tumkur District

P F

REPLIES FOR THE CHARGES

The first charge relates to the grant of a license by me to one Mr Narasimhaiah He owns a house in Balepet near the Muncipal Office, Madhugiri Town On 3 -5 - 1935 he applied for a license to put up an open roofing of Mangalore tiles over the raised platforms (ಅರೆ) on either side of the main door in front of the house The Sanitary Inspector inspected the place the next day and drew up a mahazar None of the neighbhours entered any protest or raised objections to the grant of the license On both sides of the applicant's house there are other residetial houses abutting right up to the municipal drain Besides the additional precaution of obtaining from the man a mutchalika whereby he agreed to dismantle the structure whenever ordered by the Council has also been taken and after all only a temporary license has been given to him in pursuance of the powers vested in me as Vice President in accordance with the Government Order No L 473-81-M L 223-29-5 dated the 15th July 1930 It is impossible to detect any - reason or ground in these circumstances to justify a refusal to grant the license I may also submit that the President had not given me any instructions to bring the matter to his notice before grant of License Besides one significant circumstances may be kindly

noticed

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noticed From the date the said Mr Narasimhayya applied for the license i e 3rd May 1935 till a license was actually issued on 6th May 1935 the present President was on leave and was not at all adhugiri during this period Further under Section 27 (2)b of the Town Municipality's Regulation the Vice President could exercise the powers and perform the duties of the President Therefore it is clear that the President gave me any such instructions cannot be true or correct

Hence no irregularities have been committed by me in this respect

2 The next charge is with regard to the acquisition of houses and sites near Sri Kannikaparameswari Temple Analysing the charge several allegations emerge -

(i) That I got a resolution passed for the said acquisition This ought to mean and I believe intended to mean, that I was mainly instrumental for the passage of this resolution though the members were otherwise unwilling or, indifferent to pass it

(ii) That I took advantage of the President's absence From this it follows that if the President had been present he would not have permitted or allowed this resolution to be passed

(iii) That the subject had been defferred at 8 previous meetings I read this as meaning that instead of deferring it a nineth time I committed an irregularity in -

taking

taking it up for consideration

The facts briefly are as follows -

Some of the members of the Arya Vaisya Community presented an application to the Deputy Commissioner praying that a small portion out of the sites and land proposed to be acquired for purposes of opening a conservancy, land behind the Sri Kannyakaparameswari Temple may be granted to them for extending their temple This matter came before the Council meeting of 14th November 1933 when the then President Mr Raghavendra Rao was in the chair It was resolved that the matter may be taken up after getting the necessary plan and estimate prepared and that the question might be considered at the next meeting On 23rd May 1934 the matter came up for consideration before the Council Meeting The President Mr H Niranjanaraje Urs was not present As per Section 26(2)a of the Regulation, I occupied the chair In the meeting 12 members were present The sketch and the estimate had already been pr pared and was laid before the meeting and was resolved that what was shown in the sketch may be acquired and the necessary records may be sent to the Acquisition Officer

The next meeting came off on 30th June 1934 when Mr H Niranjanaraje Urs was the President 17 members were then present The mirutes of the last meeting including the resolution in question was read as usual and confirmed and the President has signed it Previous to

this

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this i e on 11th June 1934 on a memo by the Sanitary Inspector enclosing a ~~xkx~~ sketch of the portions of houses and vacant sites with an estimate which had been prepared for this purposes was submitted to the President The President has noted thereon " other conservancies which have been laid out have to be - formed with a drain etc , what is the amounts provided in this year's budget "

Now adverting to the allegations contained in the charge as analysed above I submit as follows -

1 There is not an iota of evidence or material to show that I got the resolution passed There were 12 members ~~were~~ present and it was passed in an open meeting The representation against the acquisition was prior to the said resolution of 23rd May 1934 when - Mr B S Raghavendra Rao presided and in pursuance of this resolution a sketch and an estimate had been prepared and these were considered After all no resolution was passed that a portion of the land acquired may be given to the Kanyakaparameswari Temple It is the Municipal Council that has passed the resolution and it is very strange that I should be shouldered with the individual responsibility of getting the resolution - passed

2 It is not clear as to how I took advantage of the President's absent The right to preside during the absence of the President is given to me by law

and

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and I take no advantage if I preside as per that right The obvious corollory from the proposition that I took advantage of the President s absence is that with the presence of the President the resolution would not have been passed The minutes containing this resolution was read at the next meeting i e on 30th June 1934 when the President was present He or any other Municipal Councillor never protested nor took any objection that his absence on the previous date was taken advantage of, On 11th June 1934,to pass a resolution On the other hand he passes a note on the memo of the Sanitary Inspector approving this resolution and suggesting that other conservancies - and drains should be formed in the area proposed to be acquired

3 It is not correct to state that the subject had been defferred in 8 previous meetings It was as - already set out considered in the meeting of 14th November 1933 and since the papers with plan and estimate had been ready when I presided on the next meeting the resolution was passed Even if the subject had been defferred in 8 previous meetings there would have been no reason for me to defer it to the next i e 9th time The resolution is perfectly in order and subsequently ratified Hence it is submitted with respect that no irregularity whatever has been committed by me in this respect

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3 The third charge against me is that I insisted on copies of records relating to Mr Narayanaswami's case should be given to him etc

Mr Narayanaswami is a Municipal Councillor A criminal prosecution was launched against him for putting up a wall without license On 9th March 1935 a resolution was passed in the Municipal Council that the prosecution against him be withdrawn He applied for a copy of it on 25th June 1935 I ordered on his application that day [illegible] beyond this application, as I know Mr Narayanaswami has not applied for any other copies nor have I ordered the grant of any other

Thus it will be seen that it is not true that Mr Narayanaswami asked for copies of records relating to his case He never applied for copies of any - record, but only a resolution This resolution was passed in the open meeting of the council which was - opened to the public as per clause (6) Section 27 and the resolution was embodied in the minutes book which was also open to inspection by any inhabitant of the municipality as per clause(9) of the said section Therefore the resolution was not of a confidential - nature and Mr Narayanaswami as a Councillor had full knowledge of it Since the resolution was open to inspection by any inhabitant, I was under the bonafide

belief

belief that a copy thereof could be granted to the applicant and I also believe that the Council is not entitled to refuse to grant a copy of the resolution

Secondly passing an order that he may be granted a copy thereof I never insisted that the copy should be given and it is not ~~true~~ true that I insisted The resolution of which a copy was applied for was part of the proceedings of the council as already submitted and there was nothing confidential about it I failed to see how granting a copy was prejudicial to the interests of the Municipality since the Municipality by resolution desired the prosecution to be withdrawn Besides if the applicant was by right entitled to for a copy of it that the granting of a copy would be prejudicial, even if it were so would not effect the right of the applicant to obtain it In fact the minutes book containing this resolution was, I am informed, summoned by the accused Mr Narayanaswami in the case and this resolution in original exhibited That being so granting a copy of the resolution would not at all have altered the interests of the Council

For these reasons I submit that this charge cannot be substantiated

4 The last charge is with reference to the representation made by me to the Dewan and the Deputy Commissioner

I may at the outset submit that these representa-

87)

representations were made by me as one of the tax-payers of the Municipality and perhaps also as a Municipal Councillors with others I never made these representations as Vice President and even if I had made them it would not have been in the discharge of my - duties as Vice President Hence even if it were to be assumed that every one of these representations was - false They cannot be made the basis of a charge within the perview of Section 23(ii) Therefore I submit it will not be necessary for me to reply to them However I shall briefly reply to them without prejudice

(i) Our representation in this matter was regarding the discrimination made by the President in the disposal of applications for licenses It was not our point that Mr Kumbayya had a grievance but that it was our grievance that because the Vice President who was all along dealing with applications for license, the President effectively prevented the Vice President from dealing with them resulting in a lot of delay and that when Mr P K Nanjundayya was granted a license, there was no reason why Mr Kumbayya should not have been granted by the President

(ii) By a kind perusal of the records connected with this you will be seen that there was undue delay and unnecessarily dragged on, though Messrs Naranayya and Aswathayya gave four plans, the grant of license was being postponed It was not an accusation that was made but only a grievance

(iii)

(iii) There is no misrepresentation in this case at all The Sanitary Inspector always ought to act under the direction and orders of the Head of the Council And the prosecution can be launched only with the sanction of the President

(iv) There are three buildings belonging to - Mr P K Nanjundayya in that line One was constructed a few years ago little away from the road Our representation was not regarding this building but another one in the same row of houses constructed recently without sufficient margin from the drain which is insisted upon in other cases

(v) The Society had given a donation of Rs 1,000/- to the Municipal Water Works The Society requested a free site [redacted] for its building On the presumption of getting some more funds for water works a resolution was passed to grant the site free of cost for its building which was intended for public use And further we are not aware of the Deputy Commissioner's order as regards the price

(vi) When Mr B Raghavendra Rao,(President)- left this place he had specifically said that the - amounts of Rs 5,000/- has to be spent before the end of June 1934 failing which the amount would lapse for - that year Nothing was done till the end of June 1935 We were eager enough to take up the Town Hall, the - Foundation Stone of which was laid by the Dewan Sahib

and

and the work was not to be postponed There was no allegation against the President

vii) The contract was given on 31st January 1935 Till upto the end of 13th September 1935 there was no progress when questioned the contracter said that he was ordered by the President to stop the work This clearly shows that the President has caused delay in getting the sanctioned work, executed

In conclusion, I most humbly beg leave to submit that there is absolutely no substance in any of these charges and nothing has been proved or established against me Since I was obliged to make a representation of the high handed and arbitarary procedure of the President which was against the spirit of the scheme of the Local Self Government, The President has ferreted out these imaginary charges against me as a mode of retaliation

Further assuming that these charges are made out in full against me I may be permitted to submit - that they may amount to mere irregularities as charactarised in your letter itself, and not a single charge will satisfy any of the ingredients necessary within the meaning of Section 23(ii) under which I have been directed to show cause I am not guilty of misconduct in the discharge of my duties which necessarily mean and involves a taint of moral turpetude nor I am called upor to answer neglect of incapacity to perform my duties

My financial status is sufficient not to bring me under the last catagory I am an Income tax payer to the - Government

I respectfully submit that I have been the Vice President of the Council for over 10 years and all the previous Presidents have expressed their high appreciations of my duties as the Vice President Further more I have been a member of the District Board since last 10 years in addition to my various capacities in the public life and have won a service medal I was also a member of the Representative Assembly and that, though I am entitled to have allowance as Vice President of the Municipality, I am serving the same without any sort of remunaration which goes to show clearly my ambition to work sincerely and honestly and thus won the goodwill of the Public and appreciation of the Government at - large

If the Government are not satisfied with the above explanations I also beg that an opportunity to represent my case either personally or by duly authorised counsel, may kindly be granted to me so that I may more fully represent my case before final orders are passed in the matter

Bargalore,
20th January 1936

OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat 9 2

Dated Bangalore 1st April 193 6

No. L 7489

From

The *Secretary to the Government of His Highness the Maharaja of Mysore*
Development Department

To

Mr S Nanjian Setty
Vice President Madhugiri Municipality

Sir

With reference to your Memorandum dated 20th January 1936 to the Deputy Commissioner Tumkur submitting your explanation on the several charges made against you and requesting that Government may give you an opportunity to represent your case personally I am directed to state that the Second Member of Council will give you a hearing on 15th April 1936 at 3 P M in his Chambers in the Old Public Offices Bangalore

I have the honor to be
Sir
Your most obedient servant

TDJ

For Secretary to Government
Development Department

cr 2

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G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

No L 74899
1/9/36

To

Mr S Ranjiah Setty
Vice President
Nadhupur Dwelly

Sir,

With reference to your explanation on the several charges made against you ~~received~~ ~~from the D-C Tumkur~~ ~~Dist with his letter no~~ B - 2598/36 ~~dt~~ 29-1-36, I am directed to State that ~~you may request you to represent your case in person~~ to the II Mr of Comm at 3 P.M. on 15/4/36 in his chambers (Public Offices Bangalore)

memo dt 20/1/36 from the D-C Tumkur, Advocating your explanation

and requesting that you may be given an opportunity personally to represent your case

will give you a hearing

I have ch

WD 08608—GPB—15 000—8-7 35

Cancelled 1/4

for Secy to Govt

95

Appendix F G—1]

SUBJECT

Section ml
File No 118-35
Serial No 6

Diary No of letter replied to

No L 81/5 Encl.
to
The Deputy Comr
Tumkur District

General and Revenue Secretariat
( )
th *193*

Sir,

With reference to the correspondence ending with your letter no A6 25-28/34 dated the 29th Feby/1934 forwarding with your remarks the explanation of the Vice-President of the Madhugiri Municipality in the several charges made against him, I am directed to state that

Date of issue 25-4-36

Signed by Mr S.

List of enclosures

Copied by

Examined by

WD 08601—GPB—30 000—23 9-35

05

after a careful perusal
of the records, Govt
consider that it is
not necessary to pursue
the matter any further

I am to add that Mr
S. Ranganathan has also
~~offered~~ tendered an apology before
the Govt (offered) for having used
expressions savouring of
disrespect to the President
in their petition presented to
the Dewan on 6/9/35 by
these & other municipal Councillors

I have etc

for 21/4 Secy to Govt
from A D

23/vi/36

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE 14

General and Revenue Secretariat

No L 8160 Ecl

Dated Bangalore – 25th April 1936

From

The *Secretary to the Government of His Highness the Maharaja of Mysore*
Development Department

To

The Deputy Commissioner,
Tumkur District

Sir

With reference to the correspondence ending with your letter No A6 2528/34 dated the 29th February 1936 forwarding with your remarks the explanation of the Vice President of the Madhugiri Town Municipality on the several charges made against him I am directed to state that after a careful perusal of the records, Government consider that it is not necessary to pursue the matter any further I am to add that Mr S Nanjiah Setty has also tendered an apology before the Government (copy enclosed) for having used expressions savouring of disrespect to the President in the petition presented to the Dewan on 6th September 1935 by him and certain other Municipal Councillors

I have the honor to be
Sir
Your most obedient servant,

TD) Asst
For Secretary to Government
for Development Department

c n -2